

Aaron Etra
240 East 47th Street- 12A
New York, NY 10017
Tel. 917-856-3500

October 24, 2022

(Via Email to Temporary Pro Se Filing NYSD)

Judge Katherine H. Parker
U. S. District Court
500 Pearl Street
New York, NY 10007

Re: Benthos v. Etra, 20 cv 03384

Dear Judge Parker,

Mr. Popofsky's end of the day letter of October 21st is itself the only "umpteenth attempt" presented to you. Since 2018, I have not only not "attempted to stall" but rather have done my utmost, as a now more than 81 years old person living and working alone, with no litigation experience and no funds for legal assistance and clearly limited resources, to deal single-handedly in good faith with the relentless flow of subpoenas, restraining orders, motions for contempt and calls for my "incarceration" emanating from the 5 persons in Mr. Popofsky's firm. Before 4 judges, I have devoted my diminishing energy and capacity also to comply with their Orders, as was recognized from Judge Batts who rejected Mr. Popofsky contempt motion to Judge Caproni, who appreciated what I had done, contrary to Mr. Popofsky's selective quotes, continually out of context.

My health has deteriorated badly as a result of this continuous onslaught, so it is not only on the dates in October of this year, but also for the past four years my pre-cancer blood hematology and skin melanoma, high blood pressure, neurological malfunctioning affecting brain functioning and general susceptibility to infection from viral and other sources, have been exacerbated. These are not "claims". These are conditions under which I need to live. I trust that Your Honor will appreciate and recognize what Mr. Popofsky seems totally incapable of, that an elderly person in frail health needs the time for his medical problems to be addressed and without the inhumane accusations and denials of reasonable opportunities to time litigation requirements accordingly.

I am sure Your Honor also understands that the communications with my medical team need to be on their terms and how the hospital wants us to communicate, not as dictated or misinterpreted by Mr. Popofsky. The same applies to their directions to me to maximize the benefits of their efforts (testing and procedures) while not jeopardizing the already dangerous levels I face today.

In addition to disparaging my solo efforts to deal at the same time with both my health and his team's relentless personal attacks on me with no possible benefit to Benthos, and his efforts to completely ruin my financial condition and reputation, including succeeding in draining the limited funds from and closing of my banks accounts and credit cards, Mr. Popofsky wants to deny me what I can do in my defense, what I can contribute to public service work internationally and the therapy I can find outside of New York. Yes, thank God, there are relevant therapies, trials and prevention models elsewhere in the world that I have been encouraged to pursue to preserve my life. Yes, thank God I have some energy left for humanitarian and life sciences causes, projects and programs which I have engaged in all my life. Yes, thank God I can still write letters to Your Honor and Judge Caproni, even as I cannot do the legal research and produce the polished products of Mr. Popofsky's firm. Clearly writing a coherent letter is not even a close comparison to answering a 10-page Memorandum of Law, especially when one has no access to litigation legal assistance nor legal research, and has chosen a different path as an attorney that has never represented anyone in litigation.

There is no "day of reckoning" in this matter other than a settlement, as Your Honor recognized and guided us to. Mr. Popofsky knows this as well as his clients and anyone who has taken the time to examine the facts and realities rather than one-sided accusations. My energy really should be devoted totally to support the continued efforts of Mr. Mel Dussel to fund a settlement on terms he has agreed to what Mr. Popofsky proposed, which takes time and effort to accumulate those funds.

In the meanwhile, I am respectfully requesting not a "delay" but rather only a very limited time to first deal with my health matters before properly addressing the specific issue before Your Honor regarding the closed European accounts of the Fiduciary and to reply as best I can to what is to me a major submission from Mr. Popofsky's team, which includes the Memorandum of Law and the pile of documents delivered to me only a few minutes before the hearing on October 6th on which Mr. Popofsky was so anxious to immediately "cross examine" me, notwithstanding the seven hours of deposition his then three person team took of me several years ago back in 2019.

Under these circumstances, please schedule my reply for November 18th and, if you mandate a hearing thereafter, for a time you propose.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Etra', with a stylized flourish at the end.

Aaron Etra

cc. S. Popofsky, Esq.